

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re FLINT WATER CASES

Case No.: 5:16-cv-10444-JEL-MKM
(consolidated)

Hon. Judith E. Levy
Magistrate Judge Mona K. Majzoub

**ORDER REGARDING DISCOVERY ISSUES ADDRESSED DURING
SEPTEMBER 2, 2020 DISCOVERY CONFERENCE**

Pursuant to the Court's orders as set forth during the September 2, 2020
Discovery conference, the Court hereby Orders as follows:

1. The bellwether plaintiffs' experts will produce the underlying facts, data, reports and information in their possession and as identified by VNA in its emails to co-liaison counsel dated August 12th, 13th and 18th by September 9th. Also, VNA will produce the house inspection data by September 9th.
2. The length of the bellwether plaintiffs' experts' depositions will be limited to 14 hours over 2 days. If warranted, requests for additional time for any experts' deposition shall be made to the court.

3. The VNA Defendants' request for LeeAnne Walters' deposition as a fact witness is denied at this time. VNA is permitted to serve interrogatories on Ms. Walters. The VNA Defendants may seek a trial deposition of Ms. Walters at a later date.
4. All deadlines for the Group 2 bellwether adult plaintiffs are suspended. Counsel will meet and confer and submit a new proposed schedule for consideration by the court at the September 23, 2020 discovery conference.
5. The four bellwether trial candidates will be selected by September 14, 2020 pursuant to the agreed-upon procedure described in the Fifth Amended Case Management Order. The first bellwether trial and pretrial proceedings will now proceed according to the schedule set forth in Exhibit A.

SO ORDERED.

Date: September 9, 2020

s/Judith E. Levy
United States District Judge

Exhibit A

Date	Event
September 9, 2020	Parties exchange house inspection data and the requested plaintiff specific expert data
September 14, 2020	The four bellwether plaintiffs for trial are selected
October 30, 2020	Discovery cut off; Rule 35 examinations of the 4 bellwether plaintiffs completed
November 2, 2020	Last day to depose plaintiffs' experts (case specific experts limited to the 4 selected plaintiffs)
November 12, 2020	Defendants expert disclosure due (case specific experts limited to the 4 selected plaintiffs)
November 30, 2020	Start date for the depositions of the defendants' disclosed experts
February 1, 2021	Last day to depose defendants' disclosed experts
February 8, 2021	Motions for summary judgment and Daubert motions filed
March 17, 2021	Motions in limine and designations of deposition testimony to be played/read to the jury due
March 22, 2021	Responses to the motions for summary judgement and Daubert motions due
April 7, 2021	Oppositions to the motions in limine; counter-designations and objections to the designated testimony due
April 12, 2021	Replies to the opposition to motions for summary judgment and Daubert motions due
April 16, 2021	Objections to the counter-designated deposition testimony due
May 3, 2021	Witness lists, exhibit lists, trial briefs, jury instructions and other similar pretrial filings required by the court
May 14, 2021	Objections and responses to the May 3, 2021 filings due
TBD	Hearing dates for the summary judgment and Daubert motions (including the potential need for testimony in connection the motions), motions in limine, deposition designations, and other pretrial matters.
June 1, 2021	Trial Date